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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,361	04/12/2004	Ilya Karpov	ITL.0835D1US (P14730D)	3077
7590 08/09/2005			EXAMINER	
Trop, Pruner & Hu, P.C. Suite 100 8554 Katy Freeway Houston, TX 77024			PHAM, LONG	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,361

Applicant(s)

KARPOV ET AL.

Examiner

Long Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10, 11, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 16, and 17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Rejections and/or objections necessitated by the amendments

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 10 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishida et al. (US patent 6,461,934).

With respect to claim 10, Nishida et al. teach an integrated circuit comprising (see figs. 1-5 and associated text):

a semiconductor structure;

a first trench 103b formed of a first depth in said semiconductor structure;

a covering 106 on said first trench and over said semiconductor structure, said covering being thicker in said first trench than over said semiconductor structure; and

said covering having an opening to define a region for a second trench.

With respect to claim 16, Nishida et al. further teach the opening is a trench.

See figs. 1-5.

Claim Rejections - 35 USC § 103

2. Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishida et al. (US patent 6,461,934) in combination with Wen et al. (US patent 5,460,987).

With respect to claim 11, Nishida et al. fail to teach that the covering is made of spin-on-glass material.

However, the use of spin-on-glass as covering material is well-known in the art.

With respect to claim 17, Nishida et al. fail to teach that opening for forming a second trench extends transversely or the opening for forming the second trench crosses the first trench.

Wen et al. teach forming a second trench crossing a first trench. See figs. 1-8 and associated text.

It would have been obvious to one of ordinary skill in the art of making semiconductor devices incorporate the above teaching of Wen et al. into the device of Nishida et al. to reduce leakage current for the structure. See the abstract.

Response to Arguments

3. Applicant's arguments with respect to claims 10, 11, 16, and 17 have been considered but are moot in view of the new ground(s) of rejection.

In response to the applicant's arguments in the first paragraph on page 3 of the amendment dated 05/26/05, it is submitted that Nishida et al. teach the thickness of the section of layer 106 in trench, near the corner of the trench is thicker than the thickness of the section of layer 106 over the substrate. See fig. 3 of Nishida et al. patent.

In response to the applicant's arguments in the second paragraph on page 3 of the amendment dated 05/26/05, it is submitted that Nishida et al. teach the covering has an opening 103b to define a region for a second trench. See fig. 4 of Nishida et al.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Pham whose telephone number is 571-272-1714. The examiner can normally be reached on M-F, 7:30AM-3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 571-272-1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Long Pham

Primary Examiner

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LP